

BEN DOYLE VAUGHN, III	§	
VS.	§	CIVIL ACTION NO. 1:16-CV-408
UNITED STATES OF AMERICA	§	

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). Petitioner is a pretrial detainee who is challenging the constitutionality of two searches and seizures. Because petitioner is able to challenge the constitutionality of the searches and seizures in the pending criminal proceeding, he has not shown exceptional circumstances warranting habeas relief. *See United States v. Saegert*, 251 F.2d 59, 60 (5th Cir. 1957) (holding that a pretrial detainee may not use a petition for writ of habeas corpus to

interfere with a criminal prosecution under ordinary circumstances). After careful consideration of all the pleadings and the relevant case law, the court concludes that petitioner's objections lack merit.

**ORDER**

Accordingly, petitioner's objections (document no. 6) are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (document no. 4) is **ADOPTED**. A final judgment will be entered in this case in accordance with this memorandum order.

So **ORDERED** and **SIGNED** this **6** day of **December, 2016**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge